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REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1, 5-7, 11, 12, 14 and 15. Claims 1, 7, 12 and 14 are amended herein, and claim 15 is cancelled without prejudice. No new matter is presented.

Thus, claims 1, 5-7, 11, 12 and 14 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 112¶ 2:

In the outstanding Office Action, claim 15 was rejected for being indefinite. As mentioned above, claim 15 is cancelled herein without prejudice.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103(a):

In the outstanding Office Action, claims 1, 5-7, 11 and 12 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of the following: U.S. Patent No. 5,930,769 (Rose), U.S. Patent No. 6,415,199 (Liebermann), and U.S. Patent No. 6,142,628 (Saigo).

Rose provides fashion suggestions with designer recommendations based on a customer's body type at the time of presenting the apparel (see, col. 4, lines 10-25 and col. 10, lines 63-64). That is, Rose is limited to presentation of a projection of a model having the customer's body type wearing the selected fashion portrayed on a computer screen.

On the other hand, Liebermann is directed to preparing custom-fitted clothing where customer measurements must be constructed at a tailor's location requiring the customer to visit the tailor at least twice (see, col. 1, lines 29-43) and Saigo is limited to arbitrarily providing eyeglasses from among stored eyeglasses data for selection by the customer (see, column 10, lines 19-27).

On page 4 of the outstanding Office Action, the Examiner stated that it is obvious to incorporate the well-known traditional feature of making try-on reservations in a store selling the commodity. The Applicants respectfully traverse the Examiner's statement and demand the Examiner to produce authority for the statement.

Further, even if the Examiner's assertion and rejection based on common knowledge is valid, the present invention is distinguishable as discussed below.

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The present invention allows a try-on home delivery advance order and a try-on visiting service advance order (see, page 15, line 24 to page 16, line 3 of the present application). This is advantageous to customers because they can save time by making a reservation using the try-on simulation and are able to try on the garments displayed via the try-on simulation at convenient locations and advantageous to retailers because they can reduce inventory by tracking demand for the garments by checking the reservation (i.e., retailers can estimate possibility of purchase). Further, since customers are able to actually try on the garments, the customers are able to purchase the garments that they like more than in the case of selecting garments by the try-on simulation.

Independent claim 1, by way of example, recites, "providing a try-on simulation image of an object virtually wearing said commodity", "executing a transaction process for said commodity [including] making a try-on reservation for trying on said commodity and a reservation of try-on location where a retailer of said commodity delivers said commodity." Independent claim 1 further recites, "at least one of data related to height, weight, body type and favorite fashion of a user is registered" and "said object image information is generated based on said customer information and said commodity is presented based on at least said favorite fashion of said customer information registered and displayed on a display device as a recommended commodity before the try-on simulation."

Independent claims 7 and 12 recite, "making a try-on reservation and a reservation of try-on location where a retailer of said commodity delivers said commodity" and generating an object image information based on "customer information including at least one of data related to height, weight, body type and favorite fashion of a user."

Similarly, independent claim 14 recites, "executing the sales transaction including making a reservation for physically trying on the at least one of the commodities and a reservation of try-on location where a retailer of said commodity delivers said commodity."

The cited references, alone or in combination, do not teach or suggest the above-discussed features of independent claims 1, 7, 12 and 14.

The cited reference, alone or in combination, do not teach or suggest the claimed features including "making a try-on reservation for trying on said commodity and a reservation of try-on location where a retailer of said commodity delivers said commodity", as recited in each of independent claims 1, 7, 12 and 14. Instead, Rose is limited to presentation of a projection of a model having the customer's body type wearing the selected fashion, Liebermann discusses

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custom-fitted clothing requiring repeated customer visits to the tailor and Saigo arbitrarily provides eyeglasses for selection by the customer.

For at least the above-mentioned reasons, claims depending from independent claims 1, 7, 12 and 14 are patentably distinguishable over the cited references. The dependent claims are also independently patentable. For example, claim 6 recites that the try-on reservation issues "a try-on reservation card having thereon an identification number for identifying said try-on reservation when said try-on reservation for trying on said commodity is made." The cited references, alone or in combination, do not teach or suggest these features of claim 6.

Therefore, withdrawal of the rejection is respectfully requested.

ENTRY OF AMENDMENT:

Applicants respectfully request entry of amendments to claims because the amendments were made to clarify the invention and do not introduce significant changes that would require a further search.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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